

20 MAG : 1062

ORIGINAL

Approved:

KEVIN MEAD
 JONATHAN REBOLD
 Assistant United States Attorneys

Before: THE HONORABLE JAMES L. COTT
 United States Magistrate Judge
 Southern District of New York

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	:: <u>COMPLAINT</u>
UNITED STATES OF AMERICA	::
	:: Violations of 18 U.S.C.
- v. -	:: §§ 2252A(a)(1), 2252A(a)(5)(B),
	:: 2252A (b)(1), 2252A (b)(2), and 2
JEFFREY MOLITOR,	::
a/k/a "Jeffytaboo"	:: COUNTY OF OFFENSE:
	:: NEW YORK
Defendant.	::
	::
-----	X

SOUTHERN DISTRICT OF NEW YORK, ss.:

AARON SPIVACK, being duly sworn, deposes and says that he is a Special Agent with the Federal Bureau of Investigation ("FBI"), and charges as follows:

COUNT ONE

(Distribution of Child Pornography)

1. In or about November 2019, in the Southern District of New York and elsewhere, JEFFREY MOLITOR, the defendant, knowingly did distribute material that contains child pornography that had been mailed, and shipped, and transported in and affecting interstate and foreign commerce using a means and facility of interstate and foreign commerce by any means, including by computer, to wit, MOLITOR distributed by computer videos containing child pornography from his residence in Manhattan, New York.

(Title 18, United States Code, Sections 2252A(a)(2)(B), 2252A(b)(1), and 2.)

COUNT TWO

(Possession of Child Pornography)

2. From at least in or about November 2019 up to and including at least in or about 2020, in the Southern District of New York, JEFFREY MOLITOR, the defendant, knowingly did possess and access with intent to view, and attempt to possess and access with intent to view, a book, magazine, periodical, film, videotape, computer disk, and other material containing an image of child pornography that had been mailed, shipped and transported using a means and facility of interstate and foreign commerce and in and affecting interstate and foreign

commerce by any means, including by computer, and that was produced using materials that had been mailed, shipped and transported in and affecting interstate and foreign commerce by any means, including by computer, to wit, MOLITOR possessed images of child pornography in his residence in New York, New York.

(Title 18, United States Code, Sections 2252A(a)(5)(B), 2252A(b)(2), and 2.)

The bases for my knowledge and for the foregoing charge are, in part, as follows:

3. I am a Special Agent with the FBI, currently assigned to the Crimes Against Children squad. I have been personally involved in the investigation of this matter, and I base this affidavit on that experience, on my conversations with other law enforcement officials, and on my examination of various reports and records. Because this affidavit is being submitted for the limited purpose of demonstrating probable cause, it does not include all the facts I have learned during the course of my investigation. Where the contents of documents and the actions, statements, and conversations of others are reported herein, they are reported in substance and in part, except where otherwise indicated.

The Investigation

4. As set forth below, there is probable cause to believe that JEFFREY MOLITOR, the defendant, distributed and possessed child pornography at his residence. Specifically, an undercover FBI agent conducted a video chat with MOLITOR on November 15, 2019 while MOLITOR was in MOLITOR's residence in New York, New York (the "Molitor Residence") during which MOLITOR shared five videos containing child pornography with the undercover agent. *See infra* ¶ 12. In addition, on the morning of January 29, 2020, the FBI executed a search warrant at MOLITOR's apartment (the "Molitor Residence") and interviewed MOLITOR. During that search of the Molitor Residence, the FBI observed that child pornography was open on MOLITOR's computer, and the FBI recovered several hundred files that appear to contain child pornography. *See infra* ¶ 15. The FBI interviewed MOLITOR at the time of arrest, and MOLITOR stated that the child pornography was his, that he traded child pornography, and that he had possessed child pornography since approximately the time he was 14. *See infra* ¶ 12

The First Two Cooperating Witnesses

5. The FBI's investigation into JEFFREY MOLITOR, the defendant, began in or around October 2017, based on information provided by a cooperating witness ("CW-1"), who was charged federally with conspiracy to distribute a controlled substance, and provided information to the Government in hopes of earning a more favorable disposition on CW-1's criminal case.¹ Based on my conversations with law enforcement officers, I have learned that CW-1 stated, in substance and in part, that:

¹ CW-1 has since pled guilty to federal narcotics offenses, pursuant to a cooperation agreement with the Government. As detailed below, CW-1's information has been corroborated and proved reliable.

a. CW-1 was a crystal methamphetamine (“crystal meth”) dealer and had, for approximately one year prior to CS’s arrest, sold crystal meth to an individual known to CW-1 as “Jeff Molitor.”

b. CW-1 delivered crystal meth to “Jeff Molitor” at the location of the Molitor Residence.

c. During one such delivery, “Jeff Molitor” and others were present inside the Molitor Residence, and were engaged in sexual activity with one another. At the same time, child pornography was playing on a computer inside of the Molitor Residence. Specifically, CW-1 recalls that the child pornography depicted a group of approximately three naked prepubescent boys with an older gentleman;

d. “Jeff Molitor” claimed to CW-1 that “Jeff Molitor” had access to a young toddler or infant that “Jeff Molitor” was sexually molesting, and separately described an incident in which “Jeff Molitor” sexually molested two children in a remote location in Mexico;

e. CW-1 also provided the name and identifying information of another individual (“CW-2”) who also claimed to have similar first-hand information about “Jeff Molitor’s” possession of child pornography and “Jeff Molitor’s” claims about sexual molestation of small children.

6. In approximately January 2018, the FBI located and began interviewing CW-2, who also provided information about JEFFREY MOLITOR, the defendant.² Based on my personal conversations with CW-2, I know that CW-2 confirmed that CW-2 knows both CW-1 and MOLITOR. Among other things, CW-2 stated, in substance and in part, that sometime in or around March or April of 2016, CW-2 began communicating on www.nastykinkpigs.com (“NKP”)³ with another individual who was using NKP account name “Jeffytaboo” (the “Molitor NKP Account”). Thereafter, CW-2 and the user of the Molitor NKP Account agreed to meet in person at the Molitor Residence. CW-2 then met with an individual that CW-2 subsequently identified as MOLITOR⁴ inside of the Molitor Residence. While inside

² Among other things, CW-2 was previously arrested and subsequently convicted in 2001 in Westchester County Supreme Court for promoting an obscene sexual performance by a child less than 17 years of age. But at the time of the FBI’s conversations with CW-2, he was neither being paid as an informant nor facing criminal charges that he was hoping to earn a more favorable disposition of.

³ NKP is a social media and messaging website that can be accessed through computers, smartphones and tablets with an internet connection. Based on my training and experience, I understand that NKP is a site sometimes exploited by individuals interested in child pornography to meet each other, although those individuals generally use other applications to exchange child pornography after meeting on NKP.

⁴ In addition to providing MOLITOR’s name, CW-2 was shown a government photograph of JEFFREY MOLITOR obtained from a search of law enforcement databases (the “Molitor

the Molitor Residence, CW-2 and MOLITOR smoked crystal meth and watched child pornography together. MOLITOR also told CW-2 that MOLITOR maintained a large collection of child pornography, consisting of approximately 80,000 files. MOLITOR further claimed that MOLITOR had previously engaged in sexual conduct with minors.

Communications with the First FBI Undercover Agent from May-December, 2018

7. Based on my involvement with this investigation, I know that on or about May 8, 2018, an FBI agent acting in an undercover capacity (“UC-1”) created an NKP account under the pretense that the user of said account was CW-2 (the “UC-1-NKP Account”). From on or about May 8, 2018 until in or about December 2018, UC-1, pretending to be CW-2, used the UC-1-NKP Account to communicate with the user of the Molitor NKP Account. Among other things, UC-1 and the user of the Molitor NKP Account discussed meeting in-person to watch child pornography together “again” (under the pretense that UC-1 was CW-2, who, as stated above, had already viewed child pornography with MOLITOR). The following is an excerpt of a portion of that conversation:

Sender	Message	Date Sent
Molitor NKP Account	When are you normally free?	10/23/2018
UC-1	pretty open man. I mostly work from home so im flexible. What about you?	10/23/2018
Molitor NKP Account	Same here we should make that happen again...I’VE GOT SOME GREAT NEW TABOO SHIT	10/23/2018
UC-1	Fuck man nice, im down. got the yng shit? I have some to but not a ton. next week?	10/24/2018
Molitor NKP Account	u avail this fri?	10/25/2018
Molitor NKP Account	So today couldn’t work for your schedule? Trust me, I have plenty of yng stuff. Netflix volume.	10/26/2018

Based on my training and experience, I understand “yng” to be shorthand for “young” and the user of the Molitor NKP Account to be communicating that he has a large quantity (“Netflix volume”) of child pornography depicting young children (“I have plenty of yng stuff”).

Database Photo”), and confirmed that the photograph depicted the individual CW-2 met at the Molitor Residence.

The Third Cooperating Witness

8. Based on my conversations with law enforcement officers and review of law enforcement reports, I know that in October 2018, the FBI arrested an individual (“CW-3”) on federal charges related to the possession, receipt and distribution of child pornography, and the attempted enticement of a minor to perform an unlawful sexual act. During a post-arrest statement to the FBI, CW-3 stated, in substance and in part, that CW-3 has created and used an account on NKP to meet and communicate with “other pervert pedophiles.”⁵ CW-3 provided details about numerous individuals that CW-3 met on NKP, and subsequently met with in person, and who provided child pornography to CW-3 and/or watched child pornography with CW-3.⁶ Notably, while on NKP, CW-3 communicated with the user of the Molitor NKP Account, who CW-3 came to know as “Jeff.” Thereafter, in or around July 2018, CW-3 and “Jeff” met in-person inside “Jeff’s” Manhattan apartment, which was located in a neighborhood consistent with the location of the Molitor Residence.⁷ CW-3 states that “Jeff” had an extensive collection of child pornography, some of which CW-3 and “Jeff” watched together. CW-3 also states that “Jeff” recounted several instances where “Jeff” engaged in sexual activity with minors.

9. Based on my conversations with other law enforcement officers, I know that CW-3 provided the FBI with consent to search CW-3’s iPhone, which was recovered pursuant to CW-3’s arrest. That search revealed a March 28, 2018 email exchange between CW-3 and an individual believed to be JEFFREY MOLITOR, the defendant,⁸ in which MOLITOR stated, in substance and in part, “no age limits to my taboo perv...small holes big cocks FUCK YEAH!” On August 14, 2018, CW-3 emailed MOLITOR, writing “Hey Jeff we’ve been talking a bit on nkp but the messaging is weird lol. Wanted to see if you’re around this week for some piggy pervy fun. Would love to meet again for a longer time.”

The Search of the NKP Account

10. Based on my personal involvement in the swearing out and execution of the warrant, and my review of the returns, I know that:

⁵ CW-3 was neither a paid informer nor a cooperator with the government, although he may have provided information to the Government in hopes of earning a more favorable disposition on CW-3’s criminal case.

⁶ CW-3 states that there were possibly dozens of individuals that CW-3 met with on NKP that CW-3 believes possessed child pornography.

⁷ CW-3 could not recall the exact location of the apartment.

⁸ CW-3 communicated via email with an individual using the email address “jmolitor939@yahoo.com,” who referred to himself as “Jeff” and who, in a related Craig’s List advertisement, posted a photograph, purportedly of himself, that is consistent with the person depicted in the Molitor Database Photograph.

a. On or about December 4, 2018, the Honorable Ona T. Wang, United States Magistrate Judge for the Southern District of New York, authorized a search warrant related to all content and other information associated with the Molitor NKP Account.

b. The search warrant was executed on or about December 4, 2018. That search of the Molitor NKP Account revealed that the user of the account discussed the possession of and the exchange of child pornography on multiple occasions.

c. The search warrant also revealed that the user of the Molitor NKP Account stated that his name was “Jeff” and twice stated that his address was the Molitor Residence.

Communications with the Second and Third FBI Undercover Agents from November 2019 to the Present

11. Based on my conversations with law enforcement officers, my review of law enforcement reports, and my review of the relevant communications, I know that on or about November 4, 2019, a second FBI agent working in an undercover capacity (“UC-2”) began communicating with the user of the Molitor NKP Account. UC-2 and the user of the Molitor NKP Account exchanged phone numbers, and, on or about November 11, 2019, UC-2 began communicating via text message with the purported user of the Molitor NKP Account (the “Molitor Cellphone”).

12. Based on my conversations with law enforcement officers and my review of law enforcement reports, I know that on or about November 15, 2019, the user of the Molitor Cellphone invited UC-2 to have a video chat using the Zoom application.⁹ Due to a difficulty with the audio on the application, the user of the Molitor Cellphone initiated a telephone conversation that occurred simultaneously with the video chat. UC-2 video-recorded the video chat portion of the conversation and audio-recorded the simultaneous telephone conversation (collectively the “November 15 Zoom Conversation”). I have reviewed the video of the November 15 Zoom Conversation and observed that the individual using the Molitor Cellphone is identical to the individual depicted in the Molitor Database Photograph. As such, I have concluded that the individual using the Molitor Cellphone is JEFFREY MOLITOR, the defendant. During the November 15 Zoom Conversation, the following, among other things, transpired, in substance and in part:

a. MOLITOR stated, in substance and in part, “You tell me what your favorite is and I’ll pull it up. Give me an age, give me a . . . And I tell you I have everything. And when I say I have everything, I mean everything. Zero up.” Based on my training and experience, I understand MOLITOR to mean that he both possessed and was willing to distribute to UC-2 child pornography depicting children from the ages of zero to the age of majority.

b. MOLITOR further stated, in substance and in part, that MOLITOR had been collecting and trading child pornography for “25 years.” MOLITOR stated that, “I

⁹ Zoom is an application that allows users to video call each other.

probably have over, I'm going to say, over ten thousand videos. . . and God knows how many pictures I've got." Based on my training and experience, I understand MOLITOR to mean that he has over ten thousand video files containing child pornography and a large number of photographs depicting child pornography.

c. MOLITOR described how MOLITOR distributed child pornography to other individuals, stating in substance and in part, "I'm a big proponent of, if somebody doesn't have anything, and I get to know them and they're cool, I don't mind sharing. I'll make them a flash drive and send it. I call it 'perving it forward.'"

d. MOLITOR appeared to conduct the November 15 Zoom Conversation from inside a residence; as such, at one point during the conversation UC-2 stated in substance and in part, "looks like a cool place you got there." MOLITOR replied in substance and in part, "Thank you. It's the tiniest fucking apartment it would probably fit in the back of your fucking car. Welcome to being in New York. . . . I live in a normal part of Manhattan. . . . It's a studio." Based on my training and experience, I understand Molitor to mean that he was conducting the call from the Molitor Residence.

e. MOLITOR showed UC-2 approximately five items of child pornography over the video chat, including the following:

i. A video of a minor male, approximately 8-to-12 years old, wearing a mask, with an adult male's penis in his mouth. This video also depicted the minor male being anally penetrated by an adult male.

ii. A video depicting a minor male, approximately eight years old, performing analingus on an adult male. The same minor child was then depicted with ejaculate on his face.


iii. A video of two purported brothers, both approximately 8-to-12 years old, manipulating each other's genitalia, both manually and orally.

iv. A video of an adult male anally penetrating a sleeping child. MOLITOR stated that the adult was caught, and MOLITOR counseled UC-2 on how to not get caught molesting children.

v. A video depicting a child, who appeared to be under the age of 10, held down on a bed while an adult male forcefully engaged the minor in anal sex. While this video was playing, MOLITOR stated, in substance and in part, "a kid getting raped makes my fucking dick jump. I'm twisted like that."


f. After showing UC-2 the five videos, MOLITOR stated, in substance and in part, "This is one flash drive that I have. I have three more." Based on my training and experience, I understand MOLITOR to mean that he possesses at least four flash drives containing child pornography.

WHEREFORE, the deponent respectfully requests that JEFFREY MOLITOR, the defendant, be imprisoned, or bailed, as the case may be.



AARON SPIVACK
Special Agent
Federal Bureau of Investigation

Sworn to before me this
29th day of January, 2020



HONORABLE JAMES L. COTT
UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF NEW YORK